

REMARKS

Claims 1-21 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-5, 7-13 and 15-17, drawn to a process of preparing cells for cell therapy comprising inducing Th cells or both Th1 and Tc1 cells that having a nonspecific antitumor activity and imparting antigen specificity to the cells by transducing a gene for a TCR that recognize a cancer-associated antigen;

Group II, claims 1, 6-9 and 14-17, drawn to a process of preparing cells for cell therapy comprising inducing Th cells or both Th1 and Tc1 cells that having a nonspecific antitumor activity and imparting antigen specificity to the cells by culturing a T cell-containing material in the presence of anti-CD3 antibody and IL-2, or further includes IL-12;

Group III, claims 18 and 19, drawn to cells for cell therapy that are produced by a process comprising inducing Th cells or both Tc1 and Th1 cells that having a nonspecific antitumor activity and imparting antigen specificity to the cells; and

Group IV, claims 20 and 21, drawn to a method for preventing or treating tumor by using the cells of group III.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 1-5, 7-13, and 15-17.

It is submitted that at least groups I and II should be examined together in view of the common technical features as reflected, for example, in claim 1 which is generic as to both groups.

The Examiner has also required an election in the present application between the species listed below:

Cancer-associated antigen WT1, CEA, AFP, CA19-9, CA125, PSA, CA72-4, SCC, MK-1, MUC-1, p53, HER2, G250, gp-100, MAGE, BAGE, SART, MART, MYCN, BCR-ABL, TRP, LAGE, GAGE, and NY-ESO1.

For the purpose of examination of the present application, Applicants elect Species WT1. Once the elected species is found to be allowable, the Examiner is requested to expand the examination of the claims to the non-elected species.

All of the elected claims listed above (claims 1-5, 7-13 and 15-17) are directed to the elected species. As acknowledged by the Examiner, at least claims 1-4, 7-12 and 15-17 are generic.

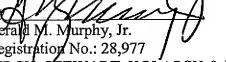
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eggerton A. Campbell, Registration No. 51,307, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: JUN 09 2008

Respectfully submitted,


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